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2-11-02

PATENT APPLICATION  
Serial No. Not Yet Assigned  
Atty. Docket No. S-94, 534

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: Not Yet Assigned :

In re application of :

**Marc N. PALMISIANO et al.** : **REACTION-FORMING METHOD**  
Serial No.: Not Yet Assigned : **FOR PRODUCING NEAR NET-SHAPE**  
**REFRACTORY METAL CARBIDES**

Filed Concurrently Herewith :

Examiner: Not Yet Assigned :

10858 U.S. PTO  
09/994823  
11/28/01

INFORMATION DISCLOSURE STATEMENT

**Box New Application**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants hereby submit this Information Disclosure Statement, which includes a completed Form PTO-1449 and one copy of each reference listed thereon.

The references were identified on pages 1 and 2 of the present application.

Pursuant to 37 C.F.R. § 1.97(b)(1), no fee is believed to be due for the submission of this Information Disclosure Statement as it is being submitted concurrently with the application.

Respectfully submitted,

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U.S. Department of Energy  
1000 Independence Ave, S.W.  
Washington, D.C. 20585

NOV 28 2001

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> S-94, 534	<b>SERIAL NO.</b> Not Yet Assigned
	<b>APPLICANT(S)</b> Marc N. Palmisiano et al.	
	<b>FILING DATE</b> Concurrently Herewith	<b>GROUP ART UNIT</b> Not Yet Assigned

10655 U.S. PTO  
09/994823  
11/28/01

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
JMP	AA	4 9 4 0 6 7 9	07/10/1990	Claar et al.	501	96	
	AB	5 8 6 5 9 2 2	02/02/1999	Behrendt et al.	156	155	
	AC	5 9 4 5 1 6 6	08/31/1999	Singh et al.	427	376.2	
	AD	6 0 1 3 2 2 6	01/11/2000	Steel et al.	419	49	
JMP	AE	6 0 5 1 0 9 6	04/18/2000	Nagle et al.	156	311	
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL							
	AM							
	AN							
	AO							
	AP							

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	
	AR	
	AS	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Art Unit:

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-11, drawn to a method of manufacture, classified in class 264, subclass 625.

II. Claims 12-20, drawn to a product, classified in class 501, subclass 87.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product may be made by hot pressing.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

4. During a telephone conversation with Julia Moody on March 14, 2003 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-11. Affirmation of this election must be made by applicant in replying to this Office action. Claims 12-20 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently

Art Unit:

named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

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